

# **EXHIBIT A**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

AMYRIS, INC., *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 23-11131 (TMH)

(Jointly Administered)

**Ref. Docket No. 19, 172, 211**

**SCEDULING ORDER WITH RESPECT TO CONTINUED HEARING ON THE  
MOTION OF THE DEBTORS FOR INTERIM AND FINAL ORDERS (I)  
AUTHORIZING DEBTORS (A) TO OBTAIN POSTPETITION FINANCING  
AND (B) TO UTILIZE CASH COLLATERAL, (II) GRANTING ADEQUATE  
PROTECTION TO PREPETITION SECURED PARTIES, (III) MODIFYING  
THE AUTOMATIC STAY, (IV) SCHEDULING A FINAL HEARING,  
AND (V) GRANTING RELATED RELIEF**

This scheduling order shall apply to the supplemental briefing with respect to the continued hearing (the “Continued Hearing”) on the *Motion of the Debtors for Interim and Final Orders (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief* [Docket No. 19], the *Limited Objection of Lavvan, Inc. to Motion of the Debtors for Interim and Final Orders (I) Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief* [Docket No. 172], and the

---

<sup>1</sup> A complete list of each of the Debtors in these Chapter 11 Cases may be obtained on the website of the Debtors’ claims and noticing agent at <https://cases.stretto.com/Amyris>. The location of Debtor Amyris Inc.’s principal place of business and the Debtors’ service address in these Chapter 11 Cases is 5885 Hollis Street, Suite 100, Emeryville, CA 94608.

*Supplemental Objection of Lavvan, Inc. to Motion of the Debtors for Interim and Final Orders (I)*

*Authorizing Debtors (A) to Obtain Postpetition Financing and (B) to Utilize Cash Collateral, (II)*

*Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay,*

*(IV) Scheduling a Final Hearing, and (V) Granting Related Relief [Docket No. 211].*

**Issues to Be Presented at Continued Hearing**

1. Is the Loan and Security Agreement, dated as of June 29, 2018, by and between Amyris, Inc., GACP Finance Co., LLC, and others (as amended, modified and restated from time to time, collectively, “2018 LSA”) in effect?
2. What is the principal amount (if any) of the obligations under the 2018 LSA (the “Outstanding Debt”)?
3. What is the impact, if any, of the accounting extinguishment and reissuance of the Outstanding Debt as referenced in Amyris Inc.’s Form 10-K for the fiscal year ended December 31, 2020?
4. Does the DIP Facility constitute “Permitted Debt” provided by a “Permitted Senior Lender” under the RCLA, Security Agreement, and Subordination Agreement (the “Lavvan Documents”)?
5. What is the application of the Subordination Agreement entered into as of May 2, 2019, by and between Foris Ventures, LLC and Lavvan, Inc. (“Subordination Agreement”), to the relief requested by Debtors’ motion?
6. Do the Lavvan Documents preclude Lavvan from receiving adequate protection?
7. Did Lavvan consent (or should it be deemed to have consented) to the priming of its lien in the Lavvan Documents?
8. Does the Court have to make an independent determination that Lavvan is entitled to adequate protection, and if so, is Lavvan adequately protected?
9. If Lavvan receives adequate protection, must it turnover that adequate protection to Foris based on the provisions in the Lavvan Documents?

**Issues to be Determined at Another Date**

1. As was stated on the record at the hearing on September 14th, both parties have acknowledged that the nature and extent of Lavvan’s asserted liens are not being determined at this time and all parties rights with respect to the extent of Lavvan’s liens will be specifically preserved in any order approving the proposed financing.

## **Schedule**

1. The schedule for the discovery and briefing shall be as follows:
  - a. Disclosure of anticipated trial witnesses who will be made available for deposition by September 19, 2023;
  - b. Exchange of documents by September 22, 2023;
  - c. Exchange Expert Reports by September 22, 2023;
  - d. Depositions and discovery completed by September 28, 2023;
  - e. Simultaneous opening briefs shall be due September 29, 2023;
  - f. Witness and Exhibits lists due on October 2, 2023
  - g. Responsive Briefs shall be due October 3, 2023 at noon; and
  - h. No further briefing.
2. The Court will conduct a Continued Hearing on the Motion on October 4, 2023, at 10:00 A.M.